

REMARKS

Reconsideration of the above-identified application as amended respectfully is solicited on behalf of the Applicants.

With the instant response, 8 claims have been amended and 2 claims have been cancelled.

Claims 8, 27, 46, and 64 have been amended to correct an informality.

Claims 1-6, 9-25, and 28-38 continue to stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bergerson, U.S. Patent No. 6,090,484, in view of Shores, U.S. Patent No. 5,061,549.

With the present response, independent claims 1 and 20 have been amended to essentially incorporate the features, respectively, of claims 16 and 35, now cancelled as being redundant. In this regard, claims 1 and 20 now recite that the graphite material "consist[s] essentially of intercalated graphite flake which is formed into a sheet without the use of a bonder."

The Bergerson reference, in contrast, discloses an interface having a layer which is formed of a cured silicone polymer filled with a thermally conductive filler which may be graphite flake. It is believed that given the obvious differences in such material vis-à-vis that of the claimed sheet, one of ordinary skill in the art following the teachings of Bergerson would not have been motivated to use such a sheet. Indeed, and as mentioned at page 12, ll. 12-25 of the instant specification, the claimed sheet should be expected to exhibit improved thermal stability and chemical resistance as compared to the material of Bergerson.

Accordingly, it is submitted that claims 1 and 20 should be considered to properly defined over the art of record. Claims 5-6, 9-15, 17-19, 21-25, 28-34, and 36-38 further describe the independent claims, and therefore should be considered allowable for the reasons given in connection with those claims.

Claims 7-8 and 26-27 continue to stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bergerson in view of Shores, and further in view of Oeltjen, U.S. Patent No. 6,433,069. Claims 7-8 and 26-27 further describe, respectively, independent claims 1 and 20 as amended, and therefore should be considered allowable for the reasons given hereinbefore in connection with those claims.

Claims 39-44, 47-62, and 65-74 continue to stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bergerson in view of Shores and Columbier *et al.*, U.S. Patent No. 5,100,737.

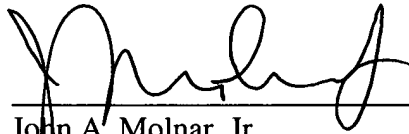
With the present response, independent claims 39 and 57 has been amended to adopt the suggestion of the Examiner in reciting that the first layer "consist[s] essentially of a flexible tin foil material," and to thereby preclude the use of a metal foil as deposited on a flexible graphite substrate as taught by Columbier.

On this basis, it is submitted that independent claims 39 and 57 should be considered to properly distinguish over the art made of record. Claims 40-44, 47-56, 58-62, and 65-74 further describe the independent claims, and therefore should be considered allowable for the reasons given in connection with those claims.

Claims 45-46 and 63-64 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bergerson in view of Shores and Columbian *et al.*, and further in view of Oeltjen. Claims 7-8 and 26-27 further describe, respectively, independent claims 39 and 57 as amended, and therefore should be considered allowable for the reasons given hereinbefore in connection with those claims.

In view of the foregoing remarks, wherein the claim program as amended is believed to have been shown to define the claimed invention as being patentable over art made of record, the issuance of a Notice of Allowance is earnestly solicited. If an allowance of the claims is not forthcoming, please enter this amendment for purposes of appeal.

Respectfully submitted,



John A. Molnar, Jr.
Reg. No. 36,611
PARKER-HANNIFIN CORPORATION
6035 Parkland Boulevard
Cleveland, OH 44124-4141
Voice: (216) 896-2212
Fax: (216) 896-4027
E-mail: jmolnar@parker.com

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